



State of Ohio Environmental Protection Agency

OHIO E.P.A.

STREET ADDRESS:

MAILING ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

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AUG -6 2010 P.O. Box 1049
Columbus, OH 43216-1049

ENTERED DIRECTOR'S JOURNAL

August 6, 2010

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

Mr. Jeffrey E. Thompson
Sr. Vice-President Finance
The Wm. Powell Company
2503 Spring Grove Avenue
Cincinnati, Ohio 45214

By: Jane Lassiter Date: 8-6-10

CERTIFIED MAIL

Re: **Closure Plan Approval**
The Wm. Powell Company
U.S. EPA ID No.: 004 253 704

Dear Mr. Thompson:

On April 4, 2008 The Payne Firm, Inc., acting on behalf of The Wm. Powell Company, submitted to Ohio EPA a closure plan to address the Concrete Area at which hazardous wastes were formerly managed. Revisions to the closure plan were received on July 23, 2010. The closure plan was submitted pursuant to the June 28, 2010 Director's Final Findings and Orders in order to demonstrate that The Wm. Powell Company's proposal for closure complies with the substantive requirements of OAC rules 3745-54 and 3745-55.

The owner or operator and the public were given the opportunity to submit written comments regarding the closure plan in accordance with the hazardous waste rule requirements. No public comments were received by Ohio EPA.

Based upon review of the submittal and subsequent revisions, I conclude that the closure plan for the hazardous waste facility at 2503 Spring Grove Avenue, Cincinnati, Ohio meets the performance standard contained in OAC rule 3745-55-11, and complies with the pertinent parts of OAC rule 3745-55-12. Therefore, the closure plan submitted to Ohio EPA on April 4, 2008 and revised on July 23, 2010 by The Wm. Powell Company is hereby approved.

Compliance with the approved closure plan is expected. Ohio EPA will monitor such compliance. Ohio EPA expressly reserves the right to take action, pursuant to chapters 3734. and 6111. of the Ohio Revised Code, and other applicable law, to enforce such

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

compliance and to seek appropriate remedies in the event of noncompliance with the provisions and modifications of this Approved Closure Plan. Please be advised that approval of this closure plan does not release The Wm. Powell Company from any responsibility regarding corrective action for all releases of hazardous waste or constituents from any waste management unit, regardless of the time at which waste was placed in the unit.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Ohio Treasurer Kevin Boyce," which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
309 South Fourth Street, Room 222
Columbus, Ohio 43215

When closure is completed, OAC rule 3745-55-15 requires the owner or operator of a facility to submit to the Director of Ohio EPA, certification by the owner or operator and an independent, registered professional engineer, that the facility has been closed in accordance with the approved closure plan. The certification by the owner or operator shall include the statement found in OAC rule 3745-50-42(D). These certifications should be submitted to:

Jeremy A. Carroll, P.E., Manager
Ohio Environmental Protection Agency
Division of Hazardous Waste Management
Regulatory and Information Services Section
P.O. Box 1049
Columbus, Ohio 43216-1049

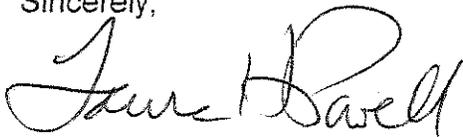
A copy should also be sent to:

Paul Pardi, Unit Manager, DHWM
Ohio Environmental Protection Agency
Southwest District Office
401 East 5th Street
Dayton Ohio 45402-2911

Ohio EPA's Division of Hazardous Waste Management strongly encourages you to consider pollution prevention options for any processes at your facility that generate waste.

While implementation of pollution prevention options is not required by Ohio laws and regulations, the application of waste minimization practices may help reduce the expense of remedial activities. Additionally, implementation of pollution prevention options may prevent the creation of new units and as a result eliminate the requirement to submit a closure plan in the future. For assistance in identifying and implementing pollution prevention options or if you have any questions about implementing this closure plan, contact Harold O'Connell at (937) 285-6078.

Sincerely,



Chris Korleski
Director

cc: Jeremy Carroll, Manager, RISS, DHWM, CO, Central File
Ed Lim, Manager, ERAS, DHWM, CO
Harry Sarvis, Manager, EU, DHWM, CO
Paul Pardi, Manager, DHWM, SWDO
Todd Anderson, Legal, CO